

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER J. KOST,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 07-2404
	:	
v.	:	
	:	
DEPT OF PUBLIC WELFARE,	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
ESTELLE B. RICHMAN, Sec'y,	:	
in her official capacity, et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 15<sup>th</sup> day of December, 2011, it is hereby ORDERED that Defendants' Motion for Summary Judgment (Dkt. No. 40) is DENIED as to Count I and GRANTED as to Count II of the Third Amended Complaint. It is further ORDERED that a telephone status conference call shall take place on January 10, 2012 at 10:30 a.m., to be initiated by Plaintiff's counsel.

BY THE COURT:

/s/ C. Darnell Jones, II

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C. DARNELL JONES, II J.